

REMARKS

Claims 1-19 were pending prior to filing this Response. Claims 1 and 17 are being amended herein. Claims 2-9, 13, 15, 16, 18 and 19 are being canceled. Therefore, claims 1, 10-12, 14 and 17 remain for consideration.

Claims 10-12 and 14 are allowed.

Claims 1-3, 5, 6 and 16-19 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lesesky (U.S. Pat. No. 5,917,632). The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendments to the claims.

Claims 2, 3, 5, 6, 16, 18 and 19 are being canceled. Therefore, claims 1 and 17 remain for consideration and the rejection of these claims will now be addressed.

Independent claim 1 is being amended herein so as to be based on claims 1 and 16, as well as paragraph [0032] of the description. Independent claim 17 is being amended herein so as to be based on claim 17 and paragraph [0062] of the description.

Applicant respectfully submits that the data communications coupler disclosed in Lesesky does not anticipate amended claim 1 of the present application. Claim 1 of the present application recites a mechanical rail vehicle coupling comprising an optical signal coupling for two rail vehicles coupled with one another, with a first coupling part fixed to one vehicle and a second coupling part fixed to the other vehicle, wherein the coupling parts are arranged in coupling heads of the mechanical rail vehicle coupling.

In contrast to this, the optical signal coupling of Lesesky is not part of a rail vehicle coupling. Moreover, the optical signal coupling of Lesesky comprises a second coupling part 31, which is fixed to a vehicle (i.e., the trailer) but a first coupling part 21, which is not fixed to a vehicle. Instead, the first coupling part

21 is only configured to be connected to an air hose, which is in turn connected or mounted to a tractor (cf. column 5, lines 26-32).

An important aspect of the claimed invention is that the two coupling parts are configured to be fixed to different rail vehicles. For example, as can be discerned from paragraph [0070] of the published specification of the present application, the coupling parts 10 and 11 are arranged in coupling heads of a mechanical rail vehicle coupling and thereby fixed to the respective vehicles. Alternatively, the coupling parts 10 and 11 can be arranged in contact carriers 74 and 76 of a conductive coupling, which contact carriers are provided at the respective rail vehicles (cf. paragraphs [0062] and [0063], and figure 8), wherein the coupling parts are also fixed to the different rail vehicles.

Since the vehicles, which are coupled with one another, are never connected totally rigidly with one another, in operation there will be relative movement between the first and the second coupling parts which in ordinary optical signal couplings for vehicles led to heavy attenuation of the optical signals in their transmission from one light conductor to the other (cf. paragraph [0005] of the specification of the present application). An important feature of the present invention is to provide an optical signal coupling which mitigates the attenuation problem involved with the relative movement of the two coupling parts by providing the coupling parts with active elements, as is described in detail in paragraphs [0010] and [0011] of the present specification.

For an anticipation rejection to be appropriate, each and every element or limitation in a rejected claim must be disclosed in a single prior art reference used in the claim rejection. Because Lesesky does not teach or suggest a mechanical rail vehicle coupling comprising an optical signal coupling for two rail vehicles coupled with one another including a first coupling part configured to be fixed to one rail vehicle and a second coupling part configured to be fixed to the other rail vehicle, and wherein the coupling parts are arranged in coupling

Application No.: 10/694,072
Office Action dated: August 23, 2006
Response to Office Action dated: November 28, 2006

heads of the mechanical rail vehicle coupling, it cannot be maintained that Lesesky anticipates amended claim 1.

Moreover, because Lesesky does not teach or suggest an automatic rail vehicle coupling comprising an automatic rail vehicle coupling comprising a conductive coupling for the connection of conductors of two rail vehicles couplable with one another, with two contact carriers each of which is configured to be connected to a respective one of the rail vehicles, wherein at least one signal coupling part with a sending device is arranged in one contact carrier, and in that at least one signal coupling part with a receiving device is arranged in the other contact carrier, it cannot be maintained that Lesesky anticipates amended claim 17.

Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lesesky (U.S. Pat. No. 5,917,632). Claim 4 is being canceled in this Response, and therefore the rejection of claim 4 is now moot.

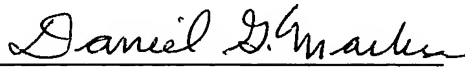
Claims 7-9, 13 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. These claims are being canceled in this Response, and therefore the objection to claims 7-9, 13 and 15 is now moot.

Application No.: 10/694,072
Office Action dated: August 23, 2006
Response to Office Action dated: November 28, 2006

In view of the foregoing, it is respectfully submitted that claims 10-12 and 14 are allowed, and that amended claims 1 and 17 are in condition for allowance. All issues raised by the Examiner having been addressed, an early action to that effect is earnestly solicited.

Applicant hereby petitions for a one-month extension of time to file this Response. A check in the amount of \$120.00 is enclosed to cover the extension fee. No additional fees or deficiencies in fees are believed to be owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

By 
Daniel G. Mackas
Registration No. 38,541
Attorney for Applicant

McCormick, Paulding & Huber LLP
CityPlace II
185 Asylum Street
Hartford, Connecticut 06103-3402
(860) 549-5290